

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

EARL PARRIS, JR., individually, and
on behalf of a Class of persons similarly
situated,

Plaintiff,

CITY OF SUMMERVILLE,
GEORGIA,

Intervenor-Plaintiff,

v.

3M COMPANY, et al.,

Defendants.

Civil Action No.
4:21-cv-40-TWT

JOINT NOTICE OF LODGING OF PROPOSED CONSENT DECREE

Plaintiff, Intervenor-Plaintiff, and Defendant Ryan Dejuan Jarrett (collectively “the Parties”) hereby notify the Court that they are lodging the proposed Consent Decree filed herewith for the purpose of providing notice of the proposed settlement of this matter as to the Parties to the Attorney General of the United States (“Attorney General”) and the Administrator of the United States Environmental Protection Agency (“Administrator”) as required by Section 505(c)(3) of the federal Clean Water Act ("CWA"), 33 U.S.C. § 1365(c)(3).

A copy of the proposed Consent Decree was sent to the Attorney General, Department of Justice, Citizen Suit Coordinator, via email, on July 20, 2022. A copy

was also sent to the Administrator via certified mail, return receipt requested, on July 20, 2022. Pursuant to 40 C.F.R. § 135.3, Plaintiff will notify the Court of the dates of service of the proposed Consent Decree on the Attorney General and the Administrator.

The attached proposed Consent Decree has been signed by the Parties and will, pursuant to its terms, fully resolve this litigation as to the Parties upon entry by the Court. The Parties respectfully request that the Court not sign the proposed Consent Decree at this time. Instead, the Consent Decree should remain lodged until after the statutory 45-day period for review by the Administrator and the Attorney General has passed, or until the Attorney General informs the Court that it has completed its review. At such time, if the Court finds the Consent Decree to be fair, reasonable, and in the public interest, the Parties respectfully request that the Court enter it as expeditiously as possible.

This the 20th day of July, 2022.

<u>/s Craig K. Pendergrast</u> Craig K. Pendergrast GA Bar No. 571155 Daniel H. Weigel GA Bar No. 956419 TAYLOR ENGLISH DUMA LLP 1600 Parkwood Circle, Suite 200 Atlanta, GA 30339 Telephone: 770-434-6868 Facsimile: 770-434-7376 cpendergrast@taylorenghish.com	<u>/s James S. Whitlock</u> Gary A. Davis (<i>phv</i>) James S. Whitlock (<i>phv</i>) DAVIS & WHITLOCK, P.C. 21 Battery Park Avenue, Suite 206 Asheville, NC 28801 Telephone: 828-622-0044 Fax: 828-398-0435 jwhitlock@enviroattorney.com gadavis@enviroattorney.com
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/s J. Anderson Davis

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CERTIFICATE OF COMPLIANCE

Pursuant to Northern District of Georgia Civil Local Rule 7.1.D., the undersigned counsel certifies that the foregoing filing is prepared in Times New Roman 14-point font, as mandated in Local Rule 5.1.C.

This the 20th day of July, 2022.

/s James S. Whitlock

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **JOINT NOTICE OF LODGING OF PROPOSED CONSENT DECREE** has been filed electronically with the Clerk of Court by using the CM/ECF system which will automatically email all counsel of record.

This the 20th day of July, 2022.

/s James S. Whitlock